

SUMMARY

This diploma thesis Gnoseological implication of law application inquires the epistemology of judicial decisions, known as proving. The work does not confine itself to mere law rules of proving before the court; rather it focuses on the comprehensive theory of the judicial cognition, which dwells in the proving law basis is not always clearly defined. These basis or axioms of law epistemology are to be exploited and clarified by our paper. Except the introduction and the final conclusion, the analyses are divided into four chapters. The chapter *Prolegomena k teorii poznání* explores the general cognition philosophy with references to the critical reflection of the (both empirical and rational) cognitional possibilities. It is supposed to be a source of the scrutiny of the special judicial cognition. The following chapter *Specifika poznávání v právu* uses the descriptive method to study the main characteristics of the specific judicial cognition as long as they differ from the characteristics of the general cognition. The comparison of the theoretical and real law approach is also given a consideration. The chapter *Pragmatická doktrína* is trying to provide integration as well as a generalization of the previous discoveries and in the conclusion it aims to provide clear and explicit gnoseological theory along with its axioms. Sequent chapter *Důsledky pragmatické doktríny* deals with the idea of the truth and its role in the established pragmatic doctrine. Chapter also depicts some discrepancies in the judicial approach towards proving and presents some contemplations *de lege ferenda*.

The diploma thesis was created as a part of the project n. 260359 set in SVV 2017 and its root is a paper *Poznáváme pravdu, nebo ji tvoříme?* which was set in SVOČ 2016.